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HARRIMAN WINS IN CONTROVERSY WITH FISH

Judge Ball Rules that the Railroad Securities Company, a Foreign Corporation may own and Vote Stock in the Illinois Central Railway—Temporary Injunction Granted to Fish is Dissolved.

Chicago, Feb. 20.—Judge Ball today decided in favor of the Union Pacific railroad and the Railroad Securities company. E. H. Harriman interests in the Harriman controversy with Stuyvesant Fish over the control of the Illinois Central railroad.

Judge Ball sustained the right of the Railroad Securities company, a foreign corporation, to own and

vote stock in the Illinois central, an Illinois corporation, and thereby clinching Harriman control of the road.

Judge Ball ordered dissolved the temporary injunction granted to Fish to prevent Harriman's interests from voting the contested stock in the election of officers of the Illinois central. This election has been postponed from time to time to await the court's rulings.

SEEK TO IMPEACH JUDGE WILFLEY

American Residents of Shanghai Accuse Him of Having Been Guilty of Oppression and misuse of His Powers —It is Claimed He Permitted Only Three Attorneys to Practice in His Court.

Washington, Feb. 20.—A petition for the impeachment of Judge L. K. Wilfley of Shanghai, judge of the United States court for China, signed by Lorin Andrews, a resident of Shanghai, in his own behalf and for other citizens of the United States living there, was introduced in the house by Mr. Waldo of New York. The petition "prays for the impeachment of Lebbéus A. Wilfley for high crimes and misdemeanors in the conduct of his office."

Among these charges are the following:

"That Judge Wilfley was guilty of oppression and misuse of his powers as judge" in debarring attorneys Francis M. Brooks, Cecil Holcomb, William I. Rogers, Edwin H. Lamme, Harry L. Hart, Lorin Andrews and W. L. Heen, "thereby ruining them in their standing and reputation in the community, depriving them of their livelihood, impoverishing them and leaving

them, citizens of the United States, in a distant country without means of support for themselves, their wives and children. That in defiance of the rules of the United States supreme court, he made a rule of his own by which no citizen of the United States, holding a lawyer's certificate to practice, would be allowed to practice in the United States court for China without first passing an examination, to be held by Judge Wilfley himself that said examination was a mere sham without any intention other than to disparage and to ruin said attorneys whom he disfavored, and to secure the whole practice of the law and business before the United States court for China, for his own favorites.

"That he wilfully, unlawfully and maliciously refused for a long time to permit any attorney to practice before him except T. R. Jernigan, E. Fessenden and Arthur L. Bassett."

WILL ASK JAPAN TO GET OUT OF CHINA

State Department Admits That the Open Door Question Has Been Broached and That Uncle Sam Will not Wait for China to Protest, Before Taking up the Matter—Americans Have Registered a Protest.

Washington, Feb. 20.—The United States is soon to make representations to Japan on the subject of Manchuria. This was admitted at the state department today.

It was also admitted that complaints have been received by the state department from American interests that Japan has violated the open door pledge in Manchuria.

Whether the administration has decided not to wait for the Chinese invitation to look into the Manchurian business, or China already has appealed for this sort of help and is being protected in this appeal from the wrath of Japan for the representations to be made will be based on the complaints from American sources mentioned. They will have to do solely with the open door proposition, at least at first.

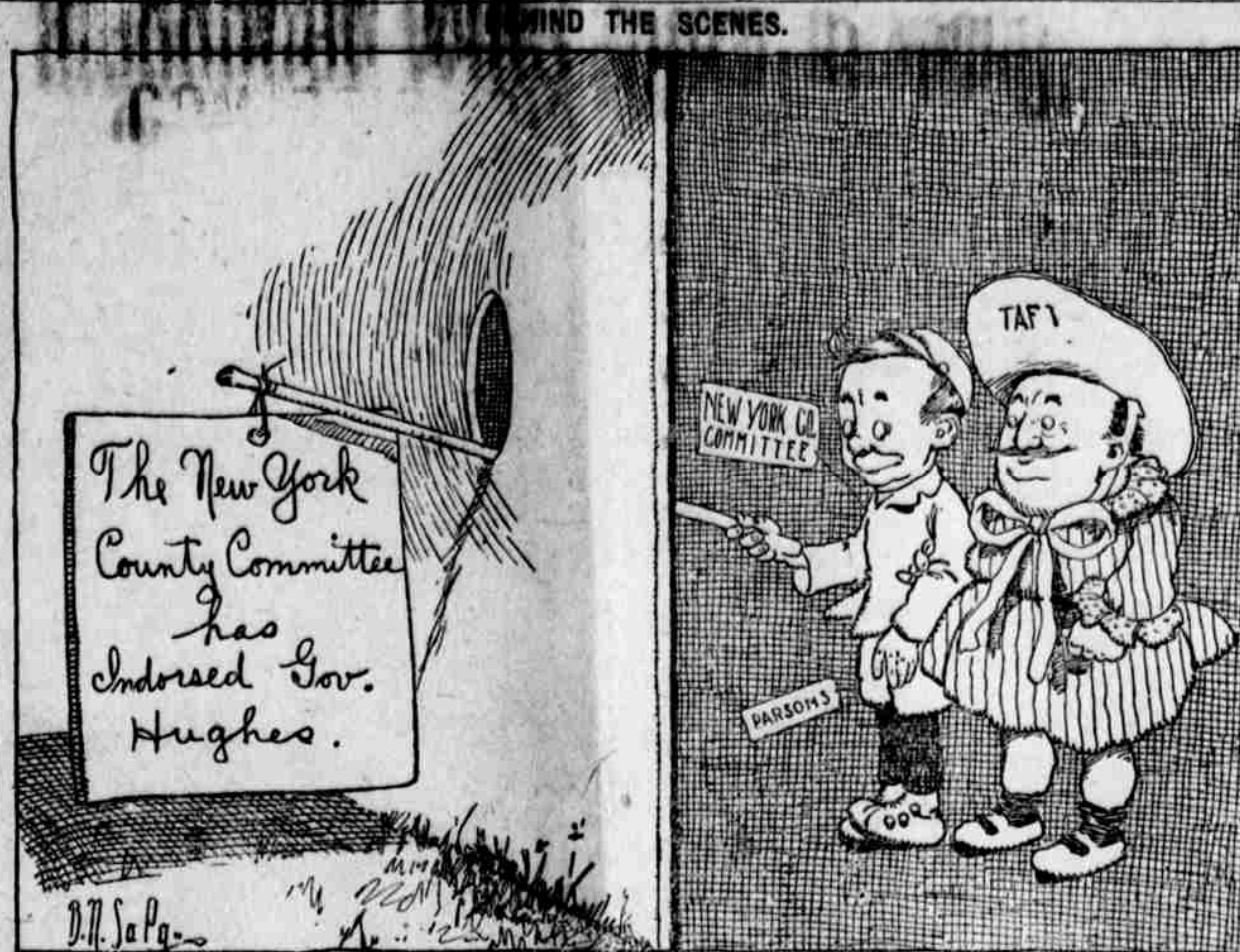
It is guardedly admitted at the state department, however, that the open door question involves the proposition of Chinese territorial integrity.

The state department does not expect to take up the Manchurian situation with Japan until the immigration question is out of the way. The final formalities connected

with that are expected to linger along until the summer, or, to use more blunt and undiplomatic language, until the battleship fleet reaches the fighting base in the Philippines.

It was naively suggested that Great Britain, Germany, France and Russia were parties with the United States and Japan to the Hay notes of 1900 pledging Chinese territorial integrity and the open door. This is but another way of saying that Japan will find those great powers, behind the United States, their fleets behind our battleship fleet, and that Japan knows when discretion is the better part of valor. Indeed a voluntary disclaimer from Japan that she intends to absorb Manchuria or that she means to close her sphere of influence to outside trade may well be expected.

It is quite possible that the state department, in letting this story leak out at this time, has it in mind to tip Japan a gentle hint to climb down while she can seem to do so voluntarily and before Evans' guns are pointed at her. In short, it looks as though President Roosevelt and Secretary Root have sprung



a surprise on the Japanese foreign office and taken all the tricks at a game of the cleverest diplomacy. The specific case against Japan for violation of the open door pledge, based on complaints lodged with the state department, shows the Japanese to have used the Standard Oil plan of rebates. The South Manchurian railway, controlled by Japan, has been granting rebates of from 1 to 7 per cent, on annual freight shipments valued at from \$50,000 to \$250,000 and higher.

Japanese cotton merchants made a combine, bringing their total freight within the 7 per cent. rebate class, which was a stiff discrimination against American cotton goods. This, of course, is only one case, but it illustrates the trickery of Japan in dealing with foreign trade competition in Manchuria.

It is the same trickery and bad faith that have marked her conduct in regard to the coolies. There will be an end to this trickery or this country will know the reason why. The time for a show down is approaching.

TILLMAN'S COLLEAGUE

Senator Latimer Dies Following an Operation at Providence Hospital.

Washington, Feb. 20.—Senator Latimer, of South Carolina, died at the Providence hospital this morning, following an operation for intestinal trouble. Members of his family were at his bedside when the end came. The immediate cause of death was peritonitis.

Latimer has been senator since 1903. Prior to that he was for many years member of the house of representatives.

FACTORY ABLAZE

Philadelphia is Visited by Big Blaze in a Cotton Mill.

Philadelphia, Feb. 20.—With the firemen handicapped in their effort to fight the blaze, by danger of falling walls and 250 girl employees thrown into a wild panic, the cotton yarn mill of Thomas Henry and Sons is a raging furnace and fire threatens to spread to the adjoining structures. Twenty operatives were overcome by the dense smoke.

GILLETTE WILL GO TO THE CHAIR IN SIX WEEK

Albany, N. Y., Feb. 20.—The court of appeals has fixed the date for the execution of Chester Gillette, the murderer of Grace Brown, for the week, beginning Monday, March 30.

ANCHORED AT CALLAO

Great Demonstration When Admiral Evans Sails Into Port.

Lima, Peru, Feb. 20.—The United States battleship squadron was sighted from Callao harbor at 8 a. m. today and a hour later steamed into the port, the ships in single file and with their guns pointed ashore.

There was never such a turnout in Callao as greeted the visiting men-of-war. Everybody who could walk was at the water front. The streets are brilliantly decorated and thousands have been pouring into the city from the surrounding towns and the rural districts and every craft in Callao is in service carrying parties of sightseers between the shore and the American war crafts. Today is a holiday in honor of the visitors and a proclamation has been issued suspending all business, Saturday, Washington's birthday, when especially elaborate celebrations are scheduled.

Admiral Evans is still too ill to leave his cabin.

STARTS TO INVESTIGATE

Knapp Proceeds to Follow Out President Roosevelt's Suggestion.

Washington, Feb. 20.—Martin A. Knapp, chairman of the Interstate Commerce Commission, today started the machinery for an investigation of the operation of certain railroads contemplating wage reductions. Every effort will be made to discover whether the proposed reductions are due to natural causes, "unfriendly legislation" or "misconduct in past the financial or other operations of any railroads." The Interstate Commerce Commission has already abundance of reports on hand to aid in the investigation.

BLIZZARD VICTIMS

Ten People Lose Their Lives in the Storm in the Middle West

Chicago, Feb. 20.—Ten dead and at least 150 injured is the result

of the two days blizzard in Chicago and the middle West. Seventeen inches of snow fell in this city during that period. While today will be colder, the wind has abated and transportation facilities are improving. Suffering of the poor, however, continues to be great. Orders were sent out by Chief Shippy instructing the policemen to render immediately aid to those found to be in distress.

MISTAKEN FOR BURGLAR

Indianapolis Man is Shot While Attempting to Enter a House.

Indianapolis, Feb. 20.—William F. Barrows, a city employe, was mistaken for a burglar when he tried to enter the home of Mrs. William Reichert during her husband's absence. A neighbor who was attracted by the woman's screams, fatally shot Barrows.

Barrows disappeared and the police could find no trace of the supposed burglar. Later he was discovered soaking through the parlor ceiling at the Reichert home and Barrows was found dead in the attic.

WILLIAMS APPOINTS

Names the Three Senators for the Cincinnati Lexow Committee.

Columbus, Feb. 20.—Following a conference Thursday with Speaker Eagleton, of the house, President Williams, of the senate, decided on his appointees for the Cincinnati Lexow. He will name Edward A. Hafner, of Cincinnati and T. M. Berry of Van Wert, Democrats, and J. E. Russell of Shelby, Republican. All of the old members of the Cincinnati committee, Drake, of Erie, Schmidt of Cleveland and Espy of Cincinnati were dropped. Eagleton will name the house members, Friday.

SNOW BLINDS MAN AND HE IS KILLED BY A TRAIN

Johnstown, Pa., Feb. 20.—Blinded by a snowstorm, Mohamet Farh, an Arabian and Pitzkall Ahas, a Hebrew, were struck by a fast Pennsylvania railroad train near Wittner yesterday and instantly killed.

KNOX PLANS TO CARRY OUT MEYER'S IDEAS

Washington, Feb. 20.—Senator Knox yesterday introduced a bill to establish a system of postal savings banks.

The bill embodies the plan outlined by Postmaster General Meyer in his annual report.

BOOK TRUST BLAMED FOR BULK OF TROUBLE

Legislative Inquiry Discloses Some Very Interesting Things in Connection with the Dealings of the Big Combines with the Teachers in Many of the Schools of the State.

Columbus, O., Feb. 20.—That a surprisingly large number of public school teachers of the state are on the pay rolls of the school book companies and that they put service to the book concerns above their duties as teachers was the important development at the resumption of the legislative inquiry into the management of the Ohio school system. Yesterday this evidence was coupled with further testimony showing that the school book rings are at the bottom of the deplorable conditions in the educational circles of the state.

The committee at once instituted proceedings to obtain information as to just how many and what teachers are on school book publishing house pay rolls. It is characterized as a practice nothing short of the debauching in its effect in the school system. The committee is considering the framing of a law prohibiting a teacher from accepting money from publishing houses.

Prof. Henry G. Williams, dean of the Normal school of Ohio university at Athens, proved a powerful witness for the state in the substantiation of the charges made by Senator Meek. Prof. Williams says there is no question that teachers' certificates have been trafficked in shamefully. Prof. Williams urges important changes in the school code of the state. He says the time has come to eliminate the office of school commissioner from politics.

He favors the radical departure of taking away from superintendents the power of appointing teachers.

Charles J. Duncan of Hillsboro testified that Examiner Williams of Sandusky has been given remunerative institute work largely through the efforts of E. E. Richards and other agents for Ginn and Co. Duncan further stated that he himself had been an agent for the same book company while engaged in school work.

The testimony of witnesses who appeared at the opening session was repeatedly challenged. Attorneys for the committee again made the charge that there was altogether too much effort to protect friends and factions and not enough to tell facts without restriction.

O. S. Color, of Hebron, the first witness called, told of irregularities brought to his attention when principal of a high school in Sandusky.

W. A. Lucas testified that "it was the general understanding" among teachers that they could secure certificate for institute dates.

After testifying in detail of the Corson and the Bonebrake factions Prof. H. C. Williams said he failed to understand how Prof. W. W. Boyd of the Ohio State university should be paid as an inspector of high schools. He testified that it was the general understanding that Boyd was the political field agent for the dominant or Corson faction.

PRIMARIES WILL STOP AT COUNTY LINES

After a Debate Lasting Three Hours the House Decides Against Extending the Primaries to Congressional and Judicial Districts—Interesting Session was Held by the House Yesterday.

Columbus, O., Feb. 20.—Not one step further than the county line will the Ohio house of representatives extend the primary election principle. That was determined yesterday when by 15 to 27 the house voted out of the Bronson primary election bill its provisions for the direct nomination of district officers, including congressmen, judges and state senators.

After a three-hour debate, the bill with pending amendments went over to 1:45 this afternoon. It is expected to pass in some shape today. Then the agreed upon program is for the house to reject the Huffman bill and for the senate to reject the Bronson bill, which will send both measures to a conference committee to hammer them into a composite bill.

The action of the house yesterday left the two bills very much alike, save for the provisions of the Bronson bill for placing the names of candidates for nomination for United States senator at the top of primary tickets for delegates to state conventions, and for party registration. It is, however, generally admitted that the Bronson bill is more carefully drawn and is more certain to stand the test of court review, and allows less opportunity of being twisted to suit the purposes of machine politicians.

Hiram S. Bronson, in presenting his measure, said it provided for a compulsory joint primary for the direct nomination of all public officers, and for the primary election of delegates to state and national conventions. He welcomed discussion but deprecated dissection of the bill. In 22 states, nominations were now required to be by direct primary, and the Illinois legislature in special session called by Governor Deneen for that purpose, had just enacted a law compelling the nomination by primary even of state officers.

He thanked the joint election committees of the two houses for having invited Theodore E. Burton who, last week, had spoken in advocacy of the extension of the primary system as provided in this bill. He also thanked the Democrats for having in-

vited here William Jennings Bryan, who had indorsed primary elections so forcibly and even to a further extent than this bill contemplated.

This appeal to each side of the house to heed the words of noted party leaders fell on deaf ears. Bronson had no sooner taken his seat than Wertz of Wayne, the Democratic floor leader, started the fight to keep primaries out of congressional district contests. The fact that Wertz was two years ago, and is again a candidate for the congressional nomination in the Seventeenth district, and is striving to gain the privilege of naming outright the Wayne county delegates to the congressional convention was well known to all the members.

He contended there was no necessity of having primary nominations for district officers, and drew a picture of the woes of a poor man who would be compelled to make a primary campaign for circuit judge in a district of 15 counties, the inference being that the political boss and the political machine were the only hope for nomination the poor man had.

Mooney of Ashtabula offered amendments, making the primary for officers to be nominated in a district larger than a county optional with the district committee. It was this amendment that was adopted after a similar one by Wertz had been rejected. Then without opposition Mooney was allowed to amend further to have the joint primary in September instead of June in all but presidential years, when it is to be in May, and to require 1 per cent. instead of a half per cent of the party voters to sign petitions for primary entries.

Bassett, of Toledo, strongly advocated primary reform, and pictured Wertz as having been an obstructionist in the path of that reform two years ago.

Wertz, of Cincinnati, made an ineffectual attempt to tack on the bill the Des Moines plan of non-partisan primaries, whereby the two highest candidates in the primary are placed

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